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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Federal Power Act with respect to the coordination of Federal authorizations for transmission facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Federal Power Act with respect to the coordination of Federal authorizations for transmission facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Certainty in Litigation
5 for Electric Asset Reliability Act of 2026” or the “CLEAR
6 Act of 2026”.

1 **SEC. 2. COORDINATION OF FEDERAL AUTHORIZATIONS**
2 **FOR TRANSMISSION FACILITIES.**

3 Section 216(h) of the Federal Power Act (16 U.S.C.
4 824p(h)) is amended—

5 (1) in paragraph (1), by striking “to site a
6 transmission facility” each place it appears and in-
7 serting “to site and construct a transmission facil-
8 ity”;

9 (2) in paragraph (2), by inserting “, except that
10 the Commission shall act as the lead agency in the
11 case of a facility to be permitted under subsection
12 (b)” before the period at the end; and

13 (3) by adding at the end the following:

14 “(10) PUBLICATION.—The head of each Fed-
15 eral agency with authority to issue a Federal author-
16 ization shall publish in the Federal Register each
17 final agency action relating to a Federal authoriza-
18 tion.

19 “(11) CONSOLIDATED RECORD.—To the extent
20 practicable for each transmission facility for which a
21 Federal authorization is required, the Secretary shall
22 consolidate all records relating to review and permit
23 decisions for all Federal authorizations for the
24 transmission facility into a single joint record of de-
25 cision.

1 “(12) REHEARING AND JUDICIAL REVIEW.—

2 With respect to any transmission facility the Federal
3 authorization and review process for which is coordi-
4 nated under this subsection—

5 “(A) each approval of a Federal authoriza-
6 tion for the transmission facility shall be
7 deemed to be an order issued by the Commis-
8 sion for purposes of section 313;

9 “(B) such section shall be applied by sub-
10 stituting ‘the lead agency under section 216(h)’
11 for ‘the Commission’ each place it appears; and

12 “(C) notwithstanding any other provision
13 of law providing for rehearing or judicial review
14 of an approval of a Federal authorization, a
15 person may obtain rehearing and judicial review
16 of such an approval only under such section
17 313.”.